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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,855	07/26/2006	Axel Busboom	P16731-US1	6153
27045	7590	07/26/2010		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER CHAI, LONGBIT	
			ART UNIT 2431	PAPER NUMBER
			NOTIFICATION DATE 07/26/2010	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

kara.coffman@ericsson.com  
jennifer.hardin@ericsson.com  
melissa.rhea@ericsson.com

# Office Action Summary

**Application No.**

10/551,855

**Applicant(s)**

BUSBOOM ET AL.

**Examiner**

LONGBIT CHAI

**Art Unit**

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 May 2010.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-30 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 03 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/GS/US)  
4) ☐ Interview Summary (PTO-413)  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_  
Paper No(s)/Mail Date \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/25/2010 has been entered.

### ***Response to Argument***

1. In view of Affidavits filed on 25 May 2010 with respect to the subject matter of the instant claims have been fully considered but are not persuasive.

2. According to Affidavits that indicates the prior-art Epstein is to provide a user access to data from an information provider such that the user stays anonymous to the information provider and hence the identity provided by a user is not qualified as a "principal identifier" as recited in the claim 1 (Affidavits: Page 2 / Item 7 & 8). Examiner respectfully disagrees with the following rationale.

- Examiner notes, according to MPEP 2111, the broadest and reasonable claim interpretations must be made such that Epstein teaches part of query package (QP) contains user information such as a random number RN, a user public key and etc. is qualified as a principal identifier representing the principal towards the data providing entity, i.e. information provider entity (Epstein: Column 5 Line 62 – 67 & Figure 1) and the presented user information is used to allow the user to access the information provider's

data with correct user's symmetric key and private key and as such Applicant's arguments are respectfully traversed.

- Applicant's argument has no merit since the alleged limitation "the principle identifier can not be anonymous" has not been recited into the claim. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Thereby, Examiner notes the broadest reasonable interpretation of the claim was made in light of specification as it would be interpreted / understood by one of ordinary skill in the art (MPEP 2111).

- Examiner further notes a "package / ticket" to request / query / grant the access to information provider's data information, as taught by Epstein, constitutes an access grant ticket, which is based upon the correct user random number and user public key and etc. to enable the decryption and to allow the user to access the provided data content.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Epstein (U.S. Patent 6,023,510).

As per claim 1, 12, 19, 22 and 28 – 30, Epstein teaches a method for provision of access for a data requesting entity (Epstein: Column 3 Line 36 – 51 and Column 2 Line 29 – 30: a user terminal (or a public terminal) is equivalent to a data requesting entity) to data related to a principal (Epstein: Column 3 Line 43 – 51 / Line 64: the user information (e.g. user public key, random number and etc.) included in the access request query package / message is qualified as a principal), comprising the following steps:

**creating an access granting ticket** (Epstein: Column 3 Line 36 – 51 and Column 5 Line 62 – 67 & Figure 1: a "package / ticket" to request / query / grant the access to information provider's data INFO constitutes an access grant ticket, which is based upon the correct user random number and user public key and etc. to enable the decryption and to allow the user to access the provided data content) comprising:

**(a) an access specification specifying a permission for an access to data related to the principal, said data being available at a data providing entity** (Epstein: Column 3 Line 36 – 51 / Line 64 & Figure 1: the user information (e.g. user public key, user random number, H(Q) and etc.) included in the access request query package / message is qualified as an access specification which determines / specifies whether or not the access permission can be granted by the data providing entity to allow the valid user to access the provided data content),

**(b) a principal identifier representing the principal towards the data providing entity** (Epstein: Column 3 Line 43 – 51 / Line 64: (a) any transformed random number / public key that can uniquely identify a user is qualified as part of "principal identifier" of the user and (b) the user information (e.g. user public key, user random number and etc.) included in the access request query package / message is qualified as a principal);

**encrypting the access granting ticket with an encryption key of the data providing entity** (Epstein: Column 3 Line 50 – 51).

**communicating to the data requesting entity the encrypted access granting ticket accompanied by an identifier of the data providing entity** (Epstein: Column 3 Line 36 – 42 / Line 50 – 51 and Column 2 Line 29 – 30: (a) a user terminal or a public terminal constitutes a data requesting entity and (b) the message is encrypted with content server's (or information provider's) public key wherein the information provider's public key is qualified as an identifier of the data providing entity),

**communicating from the data requesting entity to the data providing entity a request comprising the encrypted access granting ticket** (Epstein: Column 3 Line 41 and Column 2 Line 29 – 30: encrypted data access query package / message),

**decrypting the encrypted access granting ticket with a decryption key of the data providing entity corresponding to the encryption key** (Epstein: Column 3 Line 50 – 51),

**providing to the data requesting entity access to data related to the principal identifier according to the access specification** (Epstein: Column 4 Line 6 – 11 and Column 7 Line 21 – 30: data is downloaded to the valid user terminal).

As per claim 2, 13 and 23, Epstein teaches the encrypted access granting ticket comprises or is accompanied by verification information and access is provided based on an analysis of the verification information (Epstein: Column 3 Line 36 – 42 / Line 50 – 51: the encrypted access granting ticket comprises verification information as presented above).

As per claim 3 and 24, Epstein teaches the request to the data providing entity comprises a specification for requested data related to the principal and access is provided

according to a matching of the access specification and the requested data (Epstein: Column 6 Line 56 – 64).

As per claim 4, 14 and 21, Epstein teaches the access granting ticket is created based on a data storage correlating at least two items of a group comprising the identifier of the data providing entity, the data related to the principal available at the data providing entity, the principal identifier, the encryption key, and the access specification (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

As per claim 5 and 15, Epstein teaches an indication for the access specification is entered into a principal entity to create the access granting ticket (Epstein: Column 3 Line 36 – 37: the user information is entered and thus available at the user terminal device).

As per claim 6, 16 and 25, Epstein teaches the access granting ticket further comprises security information and access is provided based on an analysis of the security information (Epstein: Column 3 Line 36 – 42 / Line 50 – 51).

As per claim 7, 8 and 17, Epstein teaches the encrypted access granting ticket is accompanied by public information (Epstein: Column 3 Line 36 – 42 / Line 50 – 51: the encrypted access granting ticket indeed comprises content server's public key information).

As per claim 9 and 26, Epstein teaches the decryption is based on an analysis of the public information (Epstein: Column 3 Line 36 – 42 / Line 50 – 51: the decryption of the access granting ticket is based upon content server's public key information).

As per claim 10 and 27, Epstein teaches the data to which access is provided to is transferred to the data requesting entity (Epstein: Column 4 Line 6 – 11 and Column 7 Line 21 – 30: data is downloaded to the user terminal).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LONGBIT CHAI whose telephone number is (571)272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on 571-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Longbit Chai/  
  
Longbit Chai E.E. Ph.D  
Primary Examiner, Art Unit 2431  
6/3/2010  
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